

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

Manuel Esquivel, individually and as a  
representative of a class of similarly situated  
persons, on behalf of the WHATABURGER  
401(k) SAVINGS PLAN (f/k/a the  
Whataburger Profit Sharing and 401(k) Savings  
Plan),

Case No. 5:24-cv-310-XR

Plaintiff,

v.

WHATABURGER RESTAURANTS LLC;  
THE BOARD OF DIRECTORS OF  
WHATABURGER RESTAURANTS LLC;  
THE WHATABURGER 401(K) SAVINGS  
PLAN ADMINISTRATIVE COMMITTEE  
(f/k/a the Whataburger Profit Sharing and  
401(k) Savings Plan Administrative  
Committee); and DOES No. 1–20, Whose  
Names Are Currently Unknown,

Defendants.

**[PROPOSED] ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF  
TIME FOR WHATABURGER TO FILE  
REPLY IN SUPPORT OF MOTION TO DISMISS**

Defendants Whataburger Restaurants, LLC, the Board of Directors of Whataburger Restaurants LLC, and the Whataburger 401(k) Savings Plan Administrative Committee (collectively, “Defendants”) move this Court for an order extending Defendants’ deadline to file a reply brief in support of its Motion to Dismiss Plaintiffs Complaint from July 8, 2024 to July 15, 2024. The Court hereby **GRANTS** Defendants’ unopposed motion and extends Defendants’ time to file a reply to July 15, 2024.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Entered by:

Hon. Xavier Rodriguez  
United States District Judge

Dated: July 2, 2024

By: /s/ Lauren A. Valkenaar

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*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served via the Court's ECF/CM e-filing system to all counsel of record who are deemed to have consented to electronic service on this 2nd day of July 2024.

/s/ Lauren A. Valkenaar